

REMARKS

Claims 1-32 are pending in the application. Claims 1, 8, 15, 20, 25 and 29 have been amended.

Claims 1-4, 6-11, 13-16, 18-21, 23-26 and 29-30 were rejected under 35 U.S.C. §102(b) as being anticipated by Byford et al, U.S. Patent No. 5,909,671 (hereinafter "Byford"). Claims 5, 12, 17 and 22 were rejected under 35 U.S.C. §103(a) as being unpatentable over Byford. Claim 27-28 and 31-32 were rejected under 35 U.S.C. §103(a) as being unpatentable over Byford in view of Horstmann et al, U.S. Patent No. 5,896,512 to Einbinder (hereinafter "Einbinder").

Claim Rejections Under 35 U.S.C. §§ 102(b) and 103(a)

Embodiments of the present invention pertain to a mechanism to assign ownership of a web site to a user where previously at least one phone number is associated with the user-specific website. For example, claim 1 refers to a system where a website request is performed at a system website establishing a website claim to the user-specific website, and confirming that website claim by a telephone call where a phone number detection device verifies at least one phone number associated with the user-specific website. Claims 1, 8, 15, and 20 have been amended to bring out this feature of the present invention. In claims 25 and 29, a website request is performed at a system website resulting in a personal identification number being sent to a phone call data receiving device where the receiving device is accessed through a phone number associated with the user-specific website. Claims 25 and 29 have been amended to bring

out this feature of the present invention. The provided personal id number can be used, for example, to complete the claiming of the website by entering it at the website.

Byford does not teach or suggest these features of the presently claimed invention.

Byford teaches a mechanism to implement the equivalent of a 900 number charging system for web site usage. In particular, some web site pages are accessible to all (i.e., free), and some web site pages are only available to selected individuals (i.e., those who have paid, registered, etc.). The system of Byford uses two telephone numbers. The first number is used to identify the specific web site and is assigned by the owner of that web-site. The second number is used to identify the person to bill for the web site usage and is specified by the web site user. There is no confirmation/validation mechanism in Byford to determine that the user is authorized to make charges to the second number.

Referring to Claim 1, for example, this claim recites a website request performed at a system website to establish a web-site claim. This claim also recites the “the website claim is confirmed by calling into the phone call receiving device, where the at least one phone number associated with said user-specific website is verified by the phone number detection device.” No such confirmation/verification takes place in Byford.

Per Byford, multiple people may be charged for the use of a single web site. There is no user-specific web site that is claimed by the person. In other words, “ownership” of the web site never changes due to the actions occurring in Byford Column 3, lines 1-18. Accordingly, the claiming of a web-site is not confirmed at all. Given its most common usage, “claiming” refers to “take as the rightful owner” (Merriam-Webster on-line). In Byford, a subscriber merely accesses data that is accessible by anybody else willing to properly pay for it. Since there is no

claiming of a web-site, there is no verification of that claim (i.e., by verifying a phone number associated with the user-specific website by a phone number detection device). In Byford, the detection of a phone number for the subscriber is to coerce a phone call transaction (i.e., like one seen in dialing a 1-900 phone number). Though the subscriber phone number is loosely associated with the data that has been accessed, the detection is not done to verify a claiming of a web-site. The limitations discussed above with respect to claim 1 are also found in claims 8, 15 and 20.

With respect to claims 25 and 29, the arguments above apply to the claiming aspect of these claims. Also, there is no disclosure or suggestion in Byford that a personal identification number is sent to a phone call data receiving device in response to claiming a web-site.

Einbinder fails to make up for the deficiencies of Byford. Though Einbinder mentions fax machines and call paging devices, there is no teaching or suggestion in this reference of those features missing from Byford.

Since features of each of the pending claims are not taught or suggested by the cited references, reconsideration and withdrawal of the rejection of claims 1-32 under 35 U.S.C. §§ 102(b) and 103(a) is respectfully requested.

Conclusion

For all the above reasons, the Applicant respectfully submits that this application is in condition for allowance. A Notice of Allowance is earnestly solicited.

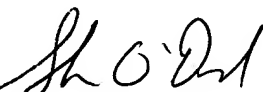
The Examiner is invited to contact the undersigned at (202) 220-4200 to discuss any matter concerning this application.

The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. §1.16 or §1.17 to Deposit Account No. **11-0600**.

Respectfully submitted,

KENYON & KENYON

Dated: October 8, 2004

By: 
Shawn W. O'Dowd
(Reg. No. 34,687)

KENYON & KENYON
1500 K Street, NW, Suite 700
Washington, DC 20005

Telephone: (202) 220-4200
Facsimile: (202) 220-4201
DC1-507758